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ROUTING AND RECORD SHEET

SUBJECT: (Optional) Lit Crim - US v. Leon

FROM:	EXTENSION	NO.
William H. Godson CI/R&A/O 03	1592	DATE

TO: (Officer designation, room number, and building)	DATE RECEIVED	DATE FORWARDED	OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
1. AC/CI/R&A/O	0 2 NOV 1977		NF	
2.				
3. AC/CI/R&A	2 NOV 1977	2 Nov	[illegible]	
4.				
5. C/CI Staff	2 NOV 1977	3 NOV 1977	[illegible]	5-6: This note is pursuant to an discussion of the black notebook several weeks ago. You may wish to talk directly with (Bill Godson) 03 who has reviewed the file.
6. OGC - Mr. John Greaney				
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1 November 1977

MEMORANDUM FOR: Chief, Counterintelligence Staff

FROM : William H. Godson
CI/R&A/O

SUBJECT : Herbert Itkin File

1. I have reviewed the material in the Herbert Itkin file which is divided into two main divisions. The first concerns the details of Itkin's use as an unpaid witting informant on matters concerning an attempt by Haitian exiles in 1963 to unseat then President Duvalier. This involved a large number of contacts with Haitian exiles in New York, Washington, the Dominican Republic and Puerto Rico. Itkin became a legal advisor for a Haitian Government-In-Exile and put up $15,000 of his "own funds" for this Haitian enterprise. Bernard E. MONCURE (P) a CI Staff staff agent in New York, rode piggy-back on Itkin's contacts with the Haitians to make his own operational contacts within the group. He also provided a small amount of money to them ($4,300) from CIA funds. It would seem from information in the file that there was high-level governmental interest in removing Duvalier from office in 1963. This information is contained in handwritten notes which are paraphrased and indicate high-level interest in the activities of the Haitian exile group. (I suggest that this material be kept in case there are Freedom of Information Act requests on CIA activities involving Haiti in 1962-1963.)

2. The second and bulkier section of material concerns Itkin's efforts to involve MONCURE and CIA in his attempts to secure custody of his wife's children from her second marriage. Itkin had been heavily involved as a lawyer and confidant with Mafia syndicates and labor unions, particularly the teamsters. While doing this he had gained a large amount of information on the Mafia. In March 1963, MONCURE had recruited Itkin for the FBI for domestic issues while maintaining for CIA the use of Itkin for foreign intelligence matters. The FBI and the federal prosecutors in New York starting in 1968 found Itkin to be a very important witness in a series of criminal indictments starting with New York City Water Commissioner Marcus.

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Itkin and his wife had for a long time been struggling to maintain custody over her children from her second marriage. Claiming that she had violated the custody stipulations of a New York court by moving them more than 50 miles from New York without his permission, Frederick Hersh, Mrs. Itkin's former husband, gained custody of the children by means of a ruling from the British court in 1966. Mrs. Itkin began legal procedures in New York to regain the children. As part of their effort they swore affadavits that Mrs. Itkin had taken the children to England at the request of the CIA. Itkin embellished on his CIA record by stating that he had worked for CIA for many years prior to 1963, and insisted that his original contact had been set up between Harold Stassen and Allen Dulles in Philadelphia in the summer of 1954. Most of these assertions were fabrications. MONCURE's CIA relationship was exposed in various legal circles in New York. The Agency wanted to avoid MONCURE's having to contradict Mr. and Mrs. Itkins' affadavits in court. The FBI seemed to have been more interested in protecting Itkin's reputation, as a witness than in protecting MONCURE's reputation for honesty.

3. MONCURE did not appear in court. The Federal authorities eventually placed protection around Itkin and his wife, keeping them on a military reservation, while he appeared as a star witness in numerous Mafia cases which led to covictions.

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4. One small side issue is worth noting: Thomas L. Roberts, who was a law partner of Itkin until mid-1961, became a CIA staff agent under cover in Africa. 24 The many fraudulent activities of Itkin spread a scintilla of suspicion around 03 Roberts. The latter was given a polygraph examination in Frankfurt. He answered questions on his relationship with Itkin including financial and his few contacts with Marcus to the satisfaction of his interrogators.

5. Comments: The thrust of the file is mainly defensive. CIA was reacting to Itkin's tactics to help his wife gain custody over her children. Itkin's numerous trips to England and Europe were made on behalf of the FBI, and they were part of an FBI attempt to gain information on the Mafia. Before the recruitment of Itkin and his utilization by the FBI, CIA did pass to the Attorney General in 1963 information on a Department of Labor official's alleged criminal involvement with the Mafia, which MONCURE had elicited from Itkin. The file also refers to MONCURE's continued contact with one Mafia figure Lenzieri, who was a legal client, as a means of self-protection as Lenzieri represented a channel back to the Mafia

for MONCURE, who was apprehensive of Mafia retaliation because of his involvement with Itkin.

6. I have talked to Will Kerbe who is presently the case officer in contact for MONCURE. He says that MONCURE is in limited law practice and is drawing a pension from the Agency as well as a contract for services connected with Golitsyn. There is probably nothing in the file which could damage MONCURE's security as much of the information regarding his association with Itkin has already been exposed. The most recent information in the file is a January 1975 memorandum for the record from Acting Chief, CI, which states that John K. Greaney, Assistant General Counsel had learned that Seymour Hersh had learned details of the Itkin-MONCURE relationship. It would appear that Mr. Greaney is the most knowledgeable person in the agency on the legal aspects of the Itkin case and probably maintains his own files.

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William H. Godson

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